

**REMARKS**

In response to the Office Action dated February 14, 2003, claims 1, 8, 10 and 13-17 are amended. Claims 1-19 are now active in this application. No new matter has been added.

**REJECTION OF CLAIMS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH**

Claim 8 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In support of this position, the a phrases that lack clear antecedent basis. By this response, the noted point of indefiniteness has been appropriately addressed. Specifically, the non-sequitur is eliminated. Therefore, it is respectfully urged that the rejection be withdrawn.

**REJECTION OF CLAIMS UNDER 35 U.S.C. § 102 AND § 103**

Claims 10-12 and 17-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nagakura.

Claims 1-8 and 13-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Stewart et al. (hereinafter, Stewart) in view of Nagakura.

A feature of the present invention is the fact that the obtained three-dimensional shape data representing a three-dimensional shape model has a portion of the three-dimensional shape data *omitted* requiring that a portion of the three-dimensional shape model corresponding to the omitted three-dimensional shape data be corrected, and that the three-dimensional shape model and a surface to be joined to the designated portion of the three-dimensional shape model are displayed. In addition, the shape of the surface

joined to the designated portion of the three-dimensional shape model is modified according to an alternation of a parameter, with regard to the shape of the surface.

Such features are not disclosed in Nagakura or Stewart. More specifically, each of the applied prior art references is directed to modification of fillet portions. More precisely, each of the applied prior art references *modifies the existing data*. This is different from the present invention where new data is produced at a portion *where no data are present in the original information* (a portion of original three-dimensional shape data omitted).

To expedite prosecution, independent claim 1 is amended to clearly delineate, *inter alia*:

obtaining three-dimensional shape data representing a three-dimensional shape model, a portion of original three-dimensional shape data being omitted requiring that a portion of the three-dimensional shape model corresponding to the omitted original three-dimensional shape data be corrected;

receiving a designation of the portion of the three-dimensional shape model corresponding to the omitted original three-dimensional shape data required to be corrected;

displaying the three-dimensional shape model and a surface to be joined to the designated portion of the three-dimensional shape model;

modifying a shape of the surface to be joined to the designated portion of the three-dimensional shape model according to an alternation of a parameter, with regard to the shape of the surface; and

re-displaying the modified surface in response to the reception of alteration.

In addition, independent claims 13-16 are each amended to be directed to a computer program product comprising a computer usable medium having encoded thereon a computer readable program for processing a three-dimensional shape model by making a computer system execute each step described in claims 1-4, respectively. Thus,

independent claims 13-16 inherently include the limitations now recited in amended claim 1.

Finally, independent claims 10 and 17 are amended to delineate, *inter alia*, that the step of/display device is for displaying a three-dimensional shape model having a portion of original three-dimensional shape data omitted and a surface to be joined to the three-dimensional shape model at a portion corresponding to where the portion of original three-dimensional shape data has been omitted, with a shape of the surface being defined by at least one parameter.

Thus, amended independent claims 1, 10 and 13-17, as well as dependent claims 2-9, 18 and 19, are patentable over Nagakura and Stewart, considered alone or in combination, as these references modify the existing data and do not produce new data at a portion where no data are present in the original information.

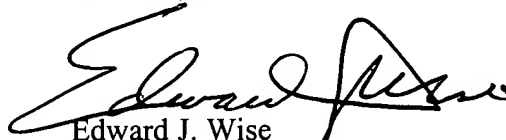
### **CONCLUSION**

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY



Edward J. Wise  
Registration No. 34,523

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
(202) 756-8000 EJW:khh  
Facsimile: (202) 756-8087  
**Date: July 14, 2003**